

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

DEAN STACY, NORMA STACY,
DONALD STACY, STEVE CARVEY,
and ANTHONY STACY,

Plaintiffs,

vs.

BNSF RAILWAY COMPANY, a
Delaware corporation,

Defendant.

CV 13–87–M–DWM–JCL

ORDER

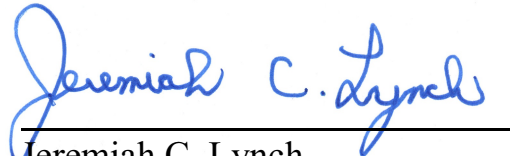
Plaintiffs move the Court for permission to record the deposition testimony of Dr. Brad Black by audio recording. Fed. R. Civ. P. 30(b)(3)(A) allows deposition testimony to be “recorded by audio, audiovisual, or stenographic means[,]” unless otherwise ordered by the court. Thus, a party need not obtain leave of court to have deposition testimony recorded by audio.

A party must, however, comply with all the requirements of Rule 30, including those set forth in Rule 30(b), (e) and (f).

Because the Plaintiffs need not obtain leave of court to record Dr. Black's deposition testimony by audio, the motion is denied as moot.

IT IS SO ORDERED.

DATED this 7th day of May, 2014.



Jeremiah C. Lynch
United States Magistrate Judge